



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

SERIAL NUMBER 087705550	FILING DATE 04/25/97	HAYWARD	FIRST NAMED APPLICANT HAYWARD	ATTORNEY DOCKET NO. 107441
----------------------------	-------------------------	---------	----------------------------------	-------------------------------

HM11/0619

SCULLY SCOTT MURPHY & PRESSER
400 GARDEN CITY PLAZA
GARDEN CITY NY 11530

EXAMINER	
SAOUD, L	
ART UNIT	PAPER NUMBER
1646	6
DATE MAILED:	06/19/98

Please find below a communication from the EXAMINER in charge of this application

Commissioner of Patents

1. This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 CFR 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 CFR 1.821 through 1.825 for the reason(s) set forth on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence and/Or Amino Acid Sequence Disclosures.
2. Specifically, the instant application does not contain a computer readable form of the Sequence Listing as required by 37 CFR 1.821 - 1.825.
3. The instant specification does not comply with 37 C.F.R. § 1.821(d) which requires a reference to a particular sequence identifier (SEQ ID NO:) be made in the specification and claims wherever a reference is made to that sequence. For example, Figures 3-5 compare sequences, however, there is no indication of which SEQ ID NOs are being compared. Figures 6-11 all contain sequences which must either be included in the Figures or in the Brief Description of the Figures. Correction is required. See M.P.E.P. 2422.04.

APPLICANT IS GIVEN ONE MONTH FROM THE DATE OF THIS LETTER WITHIN WHICH TO COMPLY WITH THE SEQUENCE RULES, 37 CFR 1.821 - 1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 CFR 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136. In no case may an applicant extend the period for response beyond the six month statutory period. Direct the response to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the response.

Drawings

4. It is noted that the Figures are presented in a very unusual manner which makes evaluation of them extremely difficult. It would be helpful if the Figures were presented in such a manner that the sequences read from left to right and continued from the bottom of one page to the top of the following page rather than the sequences being segmented in the middle. The current presentation requires that continuous flipping of one page back to the next.

5. In addition, the Figures do not conform to 37 C.F.R. § 1.84 (U)(1) which states that when partial views of a drawing which are intended to form one complete view, whether contained on one or several sheets, must be identified by the same number followed by a capital letter. The sheets of drawings which are labeled with roman numerals in the instant specification would be renumbered with capital letters (i.e. Figure 1A, 1B, 1C, etc). Applicant is reminded that once the drawings are changed to meet the separate numbering requirement of 37 C.F.R. § 1.84 (U)(1), Applicant is required to change the Brief Description of the Drawings and the rest of the specification accordingly. If, for example, Figure 1 is divided into Figures 1A, 1B, and 1C then the Brief Description and all references to this figure in the specification must refer to Figures 1A, 1B, and/or 1C.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christine Saoud, Ph.D., whose telephone number is (703) 305-7519. The examiner can normally be reached on Monday to Friday from 8AM to 3PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Walsh, can be reached on (703) 308-2957. The fax phone number for this Group is (703) 308-0294.

Official papers filed by fax should be directed to (703) 308-4227. Faxed draft or informal communications with the examiner should be directed to (703) 308-0294.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0196.

Christine Saoud, Ph.D.
June 15, 1998

OA


JOHN ULM
PRIMARY EXAMINER
GROUP 1800